



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-02587

Keyword: Operational Policing

Subject: Sex Offenders Register

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland (PSNI) has now completed its search for the information requested and the answers are as follows.

I have today decided to:

- provide a response to questions 1,2,4,5,6,7 and
- fully exempt information in response to question 3 pursuant to the provisions of Sections 31 and 38 of the Act.

Question 1

How many people are on the Sex Offenders Register in Northern Ireland?

Answer

The PSNI Public Protection Unit has advised that as of 03 August 2011 there are 985 registered sex offenders in Northern Ireland.

Question 2

How many are female and how many are male?

Answer

The breakdown of the figure supplied in question 1 is 978 male and 7 female

Question 3

Can you provide details of how many people are on the register in each town or city in Northern Ireland?

Answer

For your information the breakdown of persons on the register per police district is released annually in the Public Protection Northern Ireland report. This can be viewed at

<http://www.publicprotectionni.com/>

however please note this site is being upgraded and is currently under construction.
I have decided to fully exempt information requested in relation to numbers of people on the register in each town or city in Northern Ireland.

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

Information at town level is low level RSO data and the exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31(1)(a)(b)(c) Law Enforcement
Section 38(1)(a)(b) Health and Safety

Sections 31 and 38 are Prejudiced based qualified exemptions and this means it is the Public Authority's responsibility to evidence the harm and a Public Interest Test must be carried out.

These tests are listed below

Harm Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Modern-day policing is intelligence led and in this particular subject area the intelligence changes on a day-by-day basis with RSOs moving from one address to another.

There is a requirement for RSOs to notify the police when they change address, however in the real world this is not always the case. If an RSO is living within a particular town having failed to comply with their requirements under the Sexual Offences Act, to reveal the number of registered sex offenders at town level would make this individual aware whether or not the police are aware of their current whereabouts.

The Police Service has a duty of care to offenders living in the community as well as victims. To disclose the number of registered sex offenders at town level could lead to the misidentification of an individual. For example, a gentleman living in a flat in the town of Brookville is the subject of harassment by local youths who refer to him as a 'paedophile'. He has complained to the local police about this harassment.

If a freedom of information request is made asking for RSO data at town level, and the local constabulary confirm there is one living within Brookville, those youths and other members of the community could undertake in vigilante type behaviour in order to drive the gentleman out of his home, when in fact the alleged RSO is a woman living in the town.

Public Interest Test

Factors favouring release – Section 31

When the information disclosed relates directly to the efficiency / effectiveness of the PSNI or its officers it provides benefit to the community. Disclosure demonstrates that the PSNI are aware of the addresses of offenders, providing reassurance to the public that the PSNI have the ability and resources in place to ensure proper management of RSOs. Disclosure of the information would provide a better awareness to the public and enable them to take measures in order to protect themselves.

Factors favouring retention – Section 31

The public interest will favour non-disclosure when the current / future law enforcement role of the PSNI may be compromised by the release of the information. Town level RSO data would hinder the prevention or detection of crime by revealing police intelligence.

Factors favouring release – Section 38

Accurate public debate which corrects rumour, speculation and falsehoods could remove the need to take unnecessary actions, reduce the fear of crime and improve the quality of life. Disclosure would lead to a better awareness for the community in relation to this topic area enabling informed public debate to be undertaken.

Factors favouring retention – Section 38

There may be occasions where the release of information relating to public safety may not be in the public interest. Public Safety is of paramount importance to the police service and its partner agencies. The potential harm of not managing offenders properly and the possibility of RSOs committing further offences or innocent people being targeted through mis-identification is serious and cannot take priority over public safety.

Balancing Test

Public safety and effective law enforcement is of paramount importance and the Police Service will not divulge information if to do so would place the safety of an individual at risk or undermine the prevention or detection of crime. Therefore, at this moment in time, it is our opinion that for these issues the balancing test for disclosure for question 3 is not made out.

Question 4

How many people were added to the register between April 2010 and March 2011?

Question 5

How many of these were male and how many were female?

Question 6

How many people were added to the register between April 2009 and March 2010?

Question 7

How many of these were male and how many were female?

Answer

The PSNI Public Protection Unit has advised that we are unable to extract the information to enable us to answer these questions because the systems we use are fluid with people “going off and coming on” the register daily – therefore the information recorded changes on a daily basis. The systems are not set up to recover this particular data and as such we are unable to provide a response to these questions.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the

Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnipolice.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.